

REMARKS

Claims 1, 6, 7 and 10-12 are pending in the application. Reconsideration of this application is respectfully requested. A listing of the pending claims begins on page 2. This listing includes claims 1, 6, 7 and 10-12 taken from the Amendment filed October 9, 2002, the entry of which was ordered by the Decision on Petition dated June 12, 2003. It is noted that the Office Action omitted claim 12 from examination. However, claim 12 is pending and is dependent on claims 1 and 10.

The Office Action rejects claims 1, 6, 7, 10 and 11 under the second paragraph of 35 U.S.C. 112 as indefinite. The Examiner contends that "the image data" recited at lines 7 and 9 is unclear as whether it is identical to "the image data" recited at line 5. The Examiner appears to be contending that "the image data" recited in lines 5 and 9 does not have antecedent basis. This contention is without merit. The antecedent basis for "the image data" recited at lines 5, 7 and 9 is in the preamble, which recites "image data about a plurality of objects including an opaque object and semitransparent objects". Accordingly, it is respectfully submitted that the rejection of claims 1, 6, 7, 10 and 11 under the second paragraph of 35 U.S.C. 112 is erroneous and should be withdrawn.

Noting that the claims were not rejected on prior art, it is respectfully requested for the reasons set forth above that the rejection under 35 U.S.C. 112 be withdrawn, that claims 1, 6, 7 and 10-12 be allowed and that this application be passed to issue.

Respectfully Submitted,



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